

# HOUSE BILL REPORT

## HB 1192

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**As Reported by House Committee On:**  
Civil Rights & Judiciary

**Title:** An act relating to solemnizing marriage.

**Brief Description:** Concerning solemnizing marriage.

**Sponsors:** Representatives Hudgins and Dolan.

**Brief History:**

**Committee Activity:**

Civil Rights & Judiciary: 2/8/19, 2/15/19 [DPS].

**Brief Summary of Substitute Bill**

- Authorizes state and local government elected officials and county auditors to solemnize marriages.
- Requires county auditors to issue marriage licenses at the time of application and allows marriage licenses to be used immediately.
- Provides that any fee charged by a county auditor for solemnization of marriages in a county-owned facility must be set by the county and deposited into the county general fund.

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### HOUSE COMMITTEE ON CIVIL RIGHTS & JUDICIARY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Jinkins, Chair; Thai, Vice Chair; Irwin, Ranking Minority Member; Goodman, Hansen, Kilduff, Kirby, Orwall, Valdez and Walen.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Graham, Klippert, Shea and Ybarra.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Dufault, Assistant Ranking Minority Member.

**Staff:** Edie Adams (786-7180).

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Background:**

Marriage is a civil contract between two persons who are each age 18 or older and who are otherwise capable. There is no particular form required for the solemnization of a marriage, except that the parties must assent to the marriage in the presence of an authorized person and two witnesses.

Persons who are authorized to solemnize marriages are active or retired judicial officers and officials of religious organizations. Authorized judicial officers are judges of the Washington Supreme Court, Court of Appeals, superior courts, limited jurisdiction courts, and tribal courts of a federally recognized tribe, as well as commissioners of the Supreme Court, Court of Appeals, or superior courts. Authorized religious officials are any licensed or ordained minister, priest, imam, rabbi, or similar official of a religious organization.

Persons wishing to marry must be issued a marriage license from a county auditor. A county auditor may issue a marriage license at the time he or she receives an application, but shall issue a license no later than the third day following a marriage license application. Parties issued a marriage license may not use the license until at least three days have passed from the marriage license application date. A marriage license is void if the marriage is not solemnized within 60 days of the date a license is issued. A person who solemnizes a marriage must, within 30 days of the solemnization, create and deliver a marriage certificate to the county auditor and the state registrar of vital statistics.

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**Summary of Substitute Bill:**

County auditors and elected officials in the executive and legislative branches of state, county, and municipal government are authorized to solemnize marriages.

A county auditor must issue a marriage license at the time of a license application, and the issued marriage license may be used immediately by the parties.

Any fees associated with a county auditor solemnizing marriages in a county-owned facility must be fixed by the county, and the fees must be deposited into the county general fund.

**Substitute Bill Compared to Original Bill:**

The substitute bill authorizes county auditors to solemnize marriages and addresses fees charged by auditors for solemnizing marriages. The substitute bill requires marriage licenses to be issued at the time of application and allows the issued marriage license to be used immediately by the parties.

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**Appropriation:** None.**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) None.

(Opposed) None.

**Persons Testifying:** None.

**Persons Signed In To Testify But Not Testifying:** None.